

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

LINDA REED

Plaintiff,

V.

MARMAXX OPERATING CORP.
d/b/a MARSHALLS and THE TJX
COMPANIES, INC.

Defendants.

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Civil Action No. 4:14-CV-00010

JURY

AGREED STIPULATION OF DISMISSAL WITHOUT PREJUDICE

1. Plaintiff is Linda Reed ("Plaintiff"). Defendants are Marmaxx Operating Corp. d/b/a Marshalls and The TJX Companies, Inc. ("Defendants").
2. Plaintiff brought suit on or about December 5, 2013 against Defendants under Cause No. 219-04873-2013, in 219th District Court of Collin County, Texas.¹ On or about January 7, 2014, Defendants removed the suit to this Court.
3. Plaintiff moves to dismiss this suit without prejudice against The TJX Companies, Inc. only. Marmaxx Operating Corp. d/b/a Marshalls will remain a Defendant in this matter.
4. Defendants, who have answered, agree to the dismissal.
5. This case is not a class action.
6. A receiver has not been appointed in this action.
7. This case is not governed by any federal statute that requires an order of the court for dismissal of the case.
8. Plaintiff and Defendants have not dismissed an action based on or including the same claims as those presented in this suit.
9. This dismissal is without prejudice as to all of Plaintiff's claims against The TJX Companies, Inc.

¹ The Court should note there is a dispute between the parties as to Plaintiff's efforts to file the lawsuit prior to November 29, 2013.

10. Court costs shall be paid by the party incurring same.

Respectfully submitted,

/s/ Anjulie Ponce

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**ATTORNEYS FOR DEFENDANTS MARMAXX
OPERATING CORP. D/B/A MARSHALLS AND
THE TJX COMPANIES, INC.**

CERTIFICATE OF SERVICE

I hereby certify that on October 2, 2014, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to counsel for the parties.

/s/ Anjulie Ponce

Anjulie Ponce